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FEB 26 2018

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

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FEB 22 2018

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

BY: _____

1 ROBERT A. BERGMANN
2 State Bar No. 733
3 A Professional Corporation
4 4947 W. Lakeridge Terrace Lane
5 Reno, Nevada 89509

6 Attorney for Chad Blanchard, Water Master

7 UNITED STATES DISTRICT COURT

8 FOR THE DISTRICT OF NEVADA

9 * * * * *

10 THE UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 ALPINE LAND & RESERVOIR COMPANY
14 a corporation, et al,

15 Defendant.

IN EQUITY
3:73-CV-00183-LDG

16 ORDER APPROVING WATER MASTER'S BUDGET FOR 2017-2018;
17 CREATING AN ASSESSMENT TO REPLENISH THE FUND HERETOFORE
18 ESTABLISHED TO PAY THE EXPENSE OF CONDUCTING
19 THE WATER MASTER'S OFFICE, APPORTIONING THE COSTS
20 THEREOF, PROVIDING THE MANNER AND METHOD OF
21 COLLECTION THEREOF, AND DIRECTING THE DISTRIBUTION
22 OF THE WATERS OF THE CARSON RIVER WHEN NECESSARY

23 BE IT REMEMBERED that the petition of CHAD BLANCHARD,
24 Water Master appointed herein to administer the Final Decree
25 entered on December 18, 1980, asking that an assessment be
26 created to replenish the fund heretofore established to pay
27 the expenses of conducting the Office of the Water Master for
28 the period from October 1, 2017, to September 30, 2018, and
for such other action as might seem meet and proper in the

premises, having been filed with the Clerk of this Court on
1 December 30, 2016, and proper notice having been given to all
2 parties of the filing of said petition, and all parties having
3 the opportunity to enter objections thereto, and no objections
4 having been entered by any party to the said petition and
5 proposed budget and good cause appearing,
6

7 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

8 1. That the budget submitted by the Water Master on
9 December 22, 2017, as part of his petition, is hereby approved
10 and the Water Master is hereby authorized and directed to pay
11 to himself as Water Master the salary indicated in said budget,
12 to employ assistants as may be necessary and to pay all
13 necessary expenses incurred in administering the Final Decree
14 issued herein, as provided for in said budget.
15

16 2. That in order to provide a means for the payment of
17 further expense of conducting the Water Master's Office,
18 particularly for the period from October 1, 2017, to September
19 30, 2018, there is hereby created an assessment in the sum of
20 THREE HUNDRED TWENTY THOUSAND DOLLARS (\$320,000.00).
21

22 3. That the water users within the Truckee-Carson
23 Irrigation District, by and through the Truckee-Carson
24 Irrigation District, pay to the Water Master one-fifth (1/5)
25 of the said assessment, to wit, the sum of SIXTY-FOUR THOUSAND
26 DOLLARS (\$64,00.00), said payment to be made on or before
27
28

April 30, 2018.

1 4. That the balance of said assessment be assessed
2 against all of the remaining water users on the Carson River
3 subject to the jurisdiction of this Court, on a prorata bases
4 of FOUR DOLLARS AND 10 CENTS (\$4.10) per acre, according to
5 the irrigable acreage possessed by said water users, said
6 payments to be made to the Water Master on or before April 30,
7 2018, it being provided, however, that the minimum charge
8 assessed against any water user shall not be less than FORTY-
9 ONE DOLLARS AND NO CENTS (\$41.00).
10

11 5. That the Clerk of this Court give notice of the
12 required payments to be made by each water user by mailing a
13 copy of this order and the notice annexed hereto to each
14 attorney appearing of record for the plaintiff and sundry
15 defendants in this cause within five (5) days of the entry of
16 this order; the Water Master is further directed to give such
17 notice to the parties hereto and their successors and assigns
18 by publishing a copy of the notice annexed hereto in the
19 following newspapers: Nevada Appeal, P.O. Box 2288, Carson
20 City, Nevada, 89701; Record-Courier, P.O. Box 2288, Carson
21 City, Nevada 89702-2288; Lahontan Valley News, P.O. Box 1297,
22 Fallon, Nevada 89407-1297 and Mason Valley News, P.O. Box 841,
23 Yerington, Nevada 89447, once a week for two (2) consecutive
24 weeks.
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6. That the prorata amounts so assessed against the
1 water users on the Carson River on the basis of the water
2 righted acreage possessed by said water users shall become and
3 be a lien against said water righted lands until paid, and
4 that the Water Master be, and hereby is, directed to enforce
5 the collection of said assessments, together with a reasonable
6 late fee not less than TEN DOLLARS (\$10.00), in the manner
7 provided by law, and is further ordered to cut off water
8 deliveries from any water user who is in default in any said
9 required payments.
10

11 7. That the Water Master, CHAD BLANCHARD, be and hereby
12 is, directed to continue in effect the surety bond in the sum
13 of FIFTY THOUSAND DOLLARS (\$50,000.00) heretofore provided
14 pursuant to his order of appointment for the faithful
15 performance of his duties as custodian of such funds and the
16 property that may be in his care.
17

18 8. That the Water Master's report and audit for the
19 fiscal year ending September 30, 2018, shall be filed by
20 January 15, 2019. The Water Master's report and audit for the
21 fiscal year ending September 30, 2017 filed on the 22nd day of
22 December 2017, is hereby approved.
23

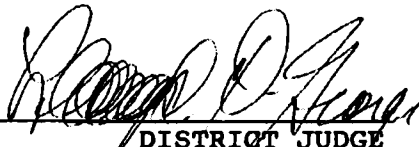
24 9. That the operation and administration of the Water
25 Master's Office in administering the provisions of the Final
26 Decree for the period from October 1, 2016, to September 30,
27
28

2017 is hereby approved.

1 10. That the Water Master begin the distribution of the
2 waters of the Carson River under said Final Decree on such
3 date as the Water Master determines that the distribution of
4 said water under his authority is necessary.
5

6 11. That the Water Master is directed to create a funded
7 account pursuant to existing Personnel and Benefits Policy to
8 cover the cost of continuing health insurance on qualified
9 personnel, upon their retirement, and that the cost shall be
10 included in the Water Master's Budget each year until such
11 time as the earned benefit is exhausted.
12

13 DATED this 23rd day of February 2018 .
14

15
16 
17 DISTRICT JUDGE
18 Lloyd D. George
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